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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,376	09/25/2003	William Vroman	PL002-0001	2375
37621 7590 06/13/2007 PATENTS AND LICENSING LLC DANIEL W. JUFFERNBRUCH 28 BARRINGTON BOURNE BARRINGTON, IL 60010-9605				
			EXAMINER AGWUMEZIE, CHARLES C	
			ART UNIT 3621	PAPER NUMBER
			MAIL DATE 06/13/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/605,376	Applicant(s) VROMAN ET AL.	
	Examiner Charlie C. Agwumezie	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-2, 7, 9-10, 19-28, and 30-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 7, 9-10, 19-28, and 30-43 is/are rejected.
- 7) ☒ Claim(s) 7, 9, 10 and 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/23/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 4, 2007 has been entered.

Declaration under 37 CFR 1.131

2. The affidavit & Declaration filed on March 5, 2007 under 37 CFR 1.131 is sufficient to overcome the Mazza et al reference.

Status Of Claims

3. Claims 3-6, 8, 11-18, and 29 are cancelled.

Claims 1, 2, 7, 9-10, 19-28, and 30-43 are pending in this application per the request for continued examination filed on April 4, 2007.

Response to Arguments

4. Applicant's arguments with respect to claims 1, 2, 7, 9-10, 19-28, and 30-43 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 7, 9-10, 19-28, 30, 33, 37, 39 and 41-43, are rejected under 35

U.S.C. 103(a) as being unpatentable over Ghahremani et al U.S. Patent Application
Publication No. 2005/0180429 A1 in view of Walker et al U.S. Patent Application
Publication 2004/0044630 A1.

As per **claim 1 and 19**, Ghahremani et al discloses a feature rights management system, comprising:

a feature rights server having a repository for storing feature keys, the feature keys representing activation rights for features including feature units;

a chassis comprising a plurality of cards slots and a common backplane bus for connecting cards among the slots to one another (fig. 1, 14, 17, 33, 34; 0049);

a system manager card operatively disposed in a slot of a chassis, the system manager card comprising a feature rights management agent operatively coupled to the feature rights server to receive feature keys from the feature rights server, to store feature rights in a repository, and to identify available feature units provided (fig. 1, 3, 12, 14, 15, 16, 17, 33, 34; 0055; 0058; 0069; 0070; 0071); and

a plurality of application cards operatively disposed in a plurality of slots of at least one chassis, each application card operatively coupled to the system manager card over the common backplane bus to request feature rights from the feature rights management agent, wherein the feature rights management agent allocates the feature units among requesting plurality of application cards over the common backplane bus (fig. 1, 3, 12, 14, 15, 16, 17, 33, 34; 0055; 0071).

What Ghahremani et al does not explicitly teach is

a feature rights server having a repository for storing feature keys, the feature keys representing activation rights for features including feature units.

Walker et al discloses a feature rights server having a repository for storing feature keys, the feature keys representing activation rights for features including feature units (see figs. 1, 2 and 3; 0053; 0054; "...obtain the list of permitted features...").

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a feature rights server having a repository for storing feature keys, the feature keys representing activation rights for features including feature units as taught by Walker et al, because such method ensures that only permitted features are activated thereby enhancing the security of the system.

As per **claim 2 and 21**, Ghahremani et al failed to explicitly disclose a feature rights management system, wherein the feature rights management agents and the

feature rights server transfer rights between the feature rights management agents and the server in the form of keys; and wherein the application cards and the feature rights management agent transfer rights between the application cards and the feature rights management agent in the form of permission;

wherein a connection between the feature rights management agents and the feature rights server is un-trusted; and

wherein a connection between the sub-agents and the feature rights management agent is trusted.

Walker et al discloses a feature rights management system, wherein the feature rights management agents and the feature rights server transfer rights between the feature rights management agents and the server in the form of keys (0055); and

wherein the application cards and the feature rights management agent transfer rights between the application cards and the feature rights management agent in the form of permission (see figs. 4 and 5; 0101; licenses)

wherein a connection between the feature rights management agents and the feature rights server is un-trusted (fig. 1; 0045; remote feature activation system or server connect to switch via PSTN... untrusted connection...); and

wherein a connection between the sub-agents and the feature rights management agent is trusted (fig. 1; ...agent and subagent reside within the switch..).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a feature rights management system, wherein the feature rights management agents and

the feature rights server transfer rights between the feature rights management agents and the server in the form of keys; and wherein the application cards and the feature rights management agent transfer rights between the application cards and the feature rights management agent in the form of permission as taught by Walker et al, because, if the client application is licensed and the database contains a record of a license, the response can allow the client application to be enabled, or re-enabled.

As per **claim 7 and 25**, Ghahremani et al further discloses a feature rights management system, wherein the feature management agent releases feature keys from a feature rights management agent and moves feature rights keys to the feature rights server (0164; 0165).

As per **claim 9 and 27**, Ghahremani et al further discloses a feature rights management system, wherein each feature unit designates how many instances of a feature category is permitted within a domain of a distribution node identified by the distribution node identifier (0178).

As per **claim 10**, Ghahremani further discloses a feature rights management system, wherein the feature keys are of at least two kinds of keys: network keys destined to the feature rights server and element keys destined for the feature rights management agent (fig. 10; 0083; 0084; 0103).

As per claim 20, Ghahremani et al failed to explicitly disclose a feature rights management system, wherein the feature rights management agents and the feature rights source transfer rights between themselves in the form of keys; and wherein the application cards and the feature rights management agent transfer rights between themselves in the form of permission.

Walker et al discloses disclose a feature rights management system, wherein the feature rights management agents and the feature rights source transfer rights between themselves in the form of keys (0055; keys); and

wherein the application cards and the feature rights management agent transfer rights between themselves in the form of permission (see figs. 4 and 5; 0101; licenses).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a feature rights management system, wherein the feature rights management agents and the feature rights source transfer rights between themselves in the form of keys; and wherein the application cards and the feature rights management agent transfer rights between themselves in the form of permission as taught by Walker et al, because, if the client application is licensed and the database contains a record of a license, the response can allow the client application to be enabled, or re-enabled.

As per claim 22 Ghahremani et al failed to explicitly disclose a feature rights management system, wherein the application card requests permissions for feature rights from the feature rights management agent upon provisioning.

Walker et al further discloses a feature rights management system, wherein the application card requests permissions for feature rights from the feature rights management agent upon provisioning (0044; 0053; ...request for permission to run...).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a feature rights management system, wherein the application card requests permissions for feature rights from the feature rights management agent upon provisioning as taught by Walker et al because, the response sent by the licensing server does not allow the application to be enabled if the feature is not licensed.

As per **claim 23**, Ghahremani et al further discloses a feature rights management system, wherein the feature rights management agent comprises a memory for storing a number of unallocated feature units (0065; 0164; 0165); and wherein the feature rights management agent requests keys for features from the feature rights server when the number of unallocated feature units is deficient to meet the needs of a request for permissions by a application card (0165; 0020).

As per **claim 24**, Ghahremani et al further discloses a feature rights management system, wherein the application card releases a feature unit by sending a release message to the feature rights management agent; and wherein the feature rights management agent increases its number of available feature units in response to the release message (0164; 0165).

As per **claim 26**, Ghahremani et al further discloses a feature rights management system, wherein each feature key comprises a plurality of feature rights including a) feature units, b) a feature category, and c) a distribution node identifier (0098; 0154; 0155; 0178).

As per **claim 28**, Ghahremani further discloses a feature rights management apparatus, wherein the feature keys are of at least two kinds of keys: network keys destined to the feature rights server and element keys destined for the feature rights management agent, wherein, the distribution node identifier of an element key identifies a domain of an identified feature rights management agent, and wherein the distribution node identifier of a network key identifies a domain of an identified feature management server (fig. 10; 0083; 0084; 0103; 0124; 0125; 0126).

As per **claim 30, 33, and 37**, Ghahremani et al further discloses a feature rights management system, wherein the features comprise telecommunication features (fig. 1, 3, 12, 15, 17; 0084; 0086).

As per **claim 39**, Ghahremani et al discloses a feature rights management apparatus wherein

the feature units designate a number of application cards that are permitted to use a feature (0055; 0147; 0151; "...maximum number of modems allocated to the VR on the FM..."); and

wherein the feature rights management agent allocates the feature to application cards (0055; 0081; 0147; 0151).

As per claim 41, Ghahremani et al further discloses a feature rights management apparatus wherein

The feature units designate a maximum use for a feature (0152); and

Wherein the feature rights management agent re-allocates the feature rights among application cards when application cards are removed and replaced in the chassis (0147; ...resources are shared among various cards...)

As per claim 42, Ghahremani et al failed to explicitly disclose a feature rights management apparatus wherein

the feature units designate a maximum number of simultaneous telephone calls that are permitted to use a given feature; and

wherein the feature rights management agent allocates the maximum number of simultaneous telephone calls that are permitted to use a given feature to application cards.

Walker et al discloses the feature units designate a maximum number of simultaneous telephone calls that are permitted to use a given feature (0006; 0042; ...maximum number of concurrently registered stations...; 0047; ...feature limit...); and wherein the feature rights management agent allocates the maximum number of simultaneous telephone calls that are permitted to use a given feature to application cards (0006; 0042; ...maximum number of concurrently registered stations...; 0047; ...feature limit...).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a feature rights management system, wherein the feature units designate a maximum number of simultaneous telephone calls that are permitted to use a given feature; and wherein the feature rights management agent allocates the maximum number of simultaneous telephone calls that are permitted to use a given feature to application cards as taught by Walker et al because, in order to track the number of calls corresponding to the prepaid amount.

As per claim 43, Ghahremani et al failed to explicitly disclose a feature rights management apparatus wherein

the feature keys further include a destination ID (0038; 0047); and

wherein the feature rights management agent confirms that the destination ID matches a serial number of the hardware of the feature rights management apparatus.

Walker et al discloses a feature rights management apparatus wherein

the feature keys further include a destination ID (0038; 0047; "...contains serial number that matches the serial number of the processor...."); and

wherein the feature rights management agent confirms that the destination ID matches a serial number of the hardware of the feature rights management apparatus (0038; 0047; ...matches serial numbers of the processors...).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a feature rights management system, wherein the feature keys further include a destination ID; and wherein the feature rights management agent confirms that the destination ID matches a serial number of the hardware of the feature rights management apparatus as taught by Walker et al because, in order to ensure that data is received by the intended apparatus.

6. **Claims 31, 35, 32 and 36,** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghahremani et al U.S. Patent Application Publication No. 2005/0180429 A1 and Walker et al U.S. Patent Application Publication 2004/0044630 A1 as applied to claim 1 and 19 above, and further in view of Summers et al U.S. Patent No. 6,098,133.

As per **claim 31 and 35,** both Ghahremani et al and Walker et al failed to explicitly disclose a feature rights management system, wherein the common backplane bus of the chassis is a trusted bus.

Summers et al discloses a feature rights management system, wherein the common backplane bus of the chassis is a trusted bus (fig. 1, 2, 6 and 7)

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a feature rights management system, wherein the common backplane bus of the chassis is a trusted bus as taught by Summers et al in order to ensure adequate security and reliability because "...the switch preferably includes a redundant bus architecture for interconnecting the FMs and SCMs..." (Ghahremani, 0052; 0058).

As per claim 32 and 36, Ghahremani et al further discloses a feature rights management system, wherein the common backplane bus of the chassis connects the plurality of application cards to the system manager card (fig. 1) but failed to explicitly disclose over a trusted intra-card bus.

Summers et al discloses a trusted intra-card bus (fig. 1, 2, 6 and 7).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a trusted intra-card bus as taught by Summers et al in order to ensure adequate security.

7. Claims 34, 38, and 40, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghahremani et al U.S. Patent Application Publication No. 2005/0180429 A1 and Walker et al U.S. Patent Application Publication 2004/0044630

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A1 as applied to claim 1 and 19 above, and further in view of Salkini et al U.S. Patent No. 6,912,230.

As per claims 34, 38 and 40, both Ghahremani et al and Walker et al failed to explicitly disclose a feature rights management system, wherein the features comprises prepaid billing. Ghahremani et al however discloses that FM and PM allow a user to provide a wide ranges of services and support a wide range of applications on application-specific daughter cards (0052) but does not specify prepaid billing an example of services to be provided.

Salkini et al discloses a feature rights management system, wherein the features comprises prepaid billing (see fig. 85; col. 10, lines 1-10; col. 2, lines 30-40).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a feature rights management system, wherein the features comprises prepaid billing as taught by Salkini et al in order to ensure that providers are paid for the services.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The reference cited to Serkowski et al U.S. Patent No. 6,513,121 is a document considered relevant to the claimed invention.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Agwumezie whose number is **(571) 272-6838**. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Andrew Fischer** can be reached on **(571) 272 – 6779**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

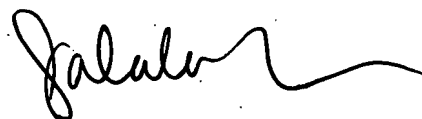
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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Charlie Lion Agwumezie
Patent Examiner
Art Unit 3621

Acc
June 4, 2007



JALATEE WORJLOH
PRIMARY EXAMINER